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TAGS: [PGOV](#) [PREL](#) [PINR](#) [EU](#) [BK](#)

SUBJECT: BOSNIA: HOUSE REJECTS NEGATIVE COMMITTEE REPORT ON
POLICE REFORM LAWS

REF: A. SARAJEVO 488

[1](#)B. SARAJEVO 363

[1](#)C. 07 SARAJEVO 2670

[1](#)D. SARAJEVO 245

Classified By: DCM JUDITH B. CEFKIN, REASONS 1.4 (B), (D)

[1](#)1. (C) Summary: On March 18 the House of Representatives voted to reject a negative report from the Joint Committee on Defense and Security (Ref A) on the two draft police reform laws mandated by the Mostar Declaration and Sarajevo Action Plan (Ref B). The draft laws will be sent back to the Joint Committee, which plans to consider them again, perhaps as soon as March 19. Should the Committee this time endorse the draft laws, they will go to the House of Representatives and the House of Peoples for final consideration, which may happen as early as March 20. The adoption of these draft laws could open the door for signing of a Stabilization and Association Agreement (SAA) as early as April (Ref C). However, it remains unclear whether there are sufficient votes within the committee to secure a positive report. Party for Democratic Action (SDA), Social Democratic Party (SDP), and the Serb Democratic Party (SDS) all appear poised to reject the laws once again. End Summary

Police Reform Laws Sent back to Committee

[1](#)2. (C) On March 18 the House of Representatives voted to reject the negative report by the Joint Committee on Defense and Security report on the two draft police reform laws mandated by the Mostar Declaration and Sarajevo Action Plan (Ref B). The narrow 19-22 vote rejecting the report followed a long debate in which political parties restated their well known views on the police reform deal. The combination of votes from the Alliance of Independent Social Democrats (SNSD), Croatian Democratic Union-1990 (HDZ-1990), Croatian Democratic Union-BiH (HDZ-BiH), Party for BiH (SBiH) and several smaller parties were sufficient for the simple majority necessary to reject the committee report. SDA, SDP, and SDS supported the committee's negative report both in debate and in the final vote. The Joint Committee must now reconsider the draft laws. Should the committee this time endorse the legislation, the draft laws could be considered by a Joint Session of the House of Representatives and House of Peoples.

Outreach to SDA

13. (C) We reached out to SDA officials on several occasions to urge them to support the draft police laws and to not block their further consideration by rejecting them in committee. However, Sulejman Tihic remains adamant in his opposition to the police reform laws (Refs A and D). A few SDA delegates have confided to us privately that they would like to support the draft laws in order to see the SAA signed, but believe they would be thrown out of the party in retaliation. On the House floor March 18, not one SDA delegate spoke out against the laws, but all voted to accept the negative committee report. It is unlikely that any of the three SDA Joint Committee members, which includes Sulejman Tihic, will reverse their position in the second committee review of the draft laws.

SDP Refuses to Support Laws

14. (C) Immediately prior the March 18 House of Representatives vote we reached out again to SDP President Zlatko Lagumdžija to urge SDP support for the draft police reform laws. Lagumdžija made it extremely clear that SDP has no intention of supporting the draft police reform legislation in the HoR or in the Joint Committee. He also ruled out having an SDP delegate abstain or fail to attend the next Committee session in order to allow the legislation to return to the House of Representatives with a positive endorsement. Lagumdžija emphasized that SDP would "oppose it all the way," in order to kill a "non-reform." He voiced his usual complaints about the police reform process, the EU and the Europeans (i.e., the EU had walked away from its own principles; the EU had allowed its fear of RS Prime Minister Milorad Dodik to drive its approach to police reform

negotiations; the Europeans failed to appreciate that reigning in Dodik and the danger he presented to Bosnian required confronting him, not appeasing him). Although he understood the importance of the SAA, Lagumdžija argued that giving Dodik more concessions was not the way out of the mess Bosnia now found itself in. Finally Lagumdžija accused the international community of "walking away" from Bosnia.

SDS Actions may be Decisive

15. (C) In the March 12 Joint Committee both SDS delegates had abstained during votes on all amendments, but decided at the last minute to vote against the two draft laws. At the time SDS indicated it would adopt a final position on the draft laws after an upcoming special session of the Republika Srpska National Assembly (RSNA) on police reform. On March 17 the RSNA voted to support the two draft police reform laws that were in State Parliamentary Procedure. Although SNSD and Party for Democratic Progress (PDP) supported the RSNA conclusion supporting the laws, SDS, along with the Serb Radical Party (SRS) and Democratic People's Alliance (DNS) opposed them, claiming that the laws required a transfer of competencies from the entity to the state level. SDS along with SRS called for holding of a referendum on the proposed legislation.

16. (C) We were told by SDS Delegate Momcilo Novakovic late last week that that SNSD and SDS reached a private deal under which SDS Joint Committee delegate Mirko Okolic would be absent from the next Joint Committee meeting allowing for a positive endorsement by a six-five vote. However, during a subsequent press conference SNSD delegate Joint Committee Dusanka Majkic publicly revealed the plan. SDS delegates have privately shared with us their anger over this, and raised the possibility that they will block the laws.

17. (C) On March 18 we urged SDS President Milan Bosic to use his influence to ensure his party's HoR delegates support a positive committee recommendation. Bosic responded that he was in a difficult position, given his party's public

position on the laws and the fact that SDS had been excluded from the police reform negotiations. We suggested he might encourage one of the SDS Joint Committee delegates to be absent at the next session, thereby allowing SDS to maintain its public opposition to the laws while still allowing for a positive committee recommendation. Bosic promised to speak with his delegates on the issue, but made no firm commitment about any outcomes.

Next Steps

18. (C) As of close of business today, the Joint Committee on Defense and Security was discussing plans to meet March 19 at 17:00 for a second consideration of the draft police reform laws. A second negative committee appraisal will kill the draft laws for good. Should the Committee endorse the laws, they will go to the House of Representative and House of Peoples for a final vote. Delegates were discussing the possibility of calling a Joint Session of both Houses as early as March 20 to consider the draft laws.

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